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PUBLIC NOTICE NO. MT-15-31 June 22, 2015

LEGISLATIVE ENVIRONMENTAL POLICY OFFICE

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a wastewater discharge permit to the facility listed in this notice. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, fact sheet, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov

APPLICANT:

Westmoreland Resources, Inc.

529 Sarpy Basin Road Hardin MT 59034

FACILITY NAME:

Absaloka Mine

FACILITY LOCATION:

100 Sarpy Creek Road

Hardin, MT 59034

RECEIVING WATER:

Unnamed ephemeral tributary to Sarpy Creek,

Unnamed ephemeral tributary to Middle Fork Sarpy Creek, Unnamed ephemeral tributary to East Fork

Sarpy Creek

PERMIT NUMBER:

MT0021229

This is reissuance of Montana Pollutant Discharge Elimination System (MPDES) permit MT0021229 for the Westmoreland Resources, Inc., Absaloka Mine. The Absaloka Mine is an approximately 7,100 acre surface coal mine. The facility discharges treated mine drainage to the following receiving waters: unnamed ephemeral tributary to Sarpy Creek, unnamed ephemeral tributary to Middle Fork Sarpy Creek, and unnamed ephemeral tributary to East Fork Sarpy Creek. Outfalls in active mining areas are associated with sediment ponds designed to contain the runoff from a 10-year, 24-hour rainfall event. Influent flow to sediment ponds in an area of active mining consists of mine drainage and storm water runoff. Outfalls associated with reclamation areas, brushing and grubbing areas, topsoil stockpiling areas, and regraded areas are maintained per an approved Sediment Control Plan.

Steve Bullock, Governor I Tom Livers, Director I P.O. Box 200901 I Helena, MT 59620-0901 I (406) 444-2544 I www.deq.mt.gov

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PUBLIC COMMENT

Public comments are invited <u>ANYTIME PRIOR TO CLOSE OF BUSINESS July 22, 2015</u>. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked <u>PRIOR TO CLOSE OF BUSINESS July 22, 2015</u> will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail the Department at DEQWPBPublicComments@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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